



TOWN OF APEX, NORTH CAROLINA
Municipality No. 333

After recording, please return to:
Donna Hosch, MMC, NCCMC, Town Clerk
Town of Apex
P.O. Box 250
Apex, NC 27502

ORDINANCE NO. 2022-0222-03
ANNEXATION PETITION NO. #721

The William T. Mills Testamentary Trust-David G. Mills, Trustee (Wake County EMS
Main)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE TOWN OF APEX, NORTH CAROLINA
P.O. Box 250, Apex, North Carolina 27502

WHEREAS, the Apex Town Council has been petitioned under G.S.§ 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Apex Town Council has by Resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Apex Town Hall at 6:00 p.m. on February 22, 2022 after due notice by posting to the Town of Apex website, <http://www.apexnc.org/news/public-notices-legal-ads>; and

WHEREAS, the Apex Town Council does hereby find as a fact that said petition meets the requirements of G.S.§ 160A-31, as amended.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Apex, North Carolina:

Section 1. By virtue of the authority granted by G.S. § 160A-31, as amended, the territory described in the attached property description and also shown as "Annexation Area" on the below identified survey plat is hereby annexed and made part of the Town of Apex, North Carolina, as of the date of adoption of this Ordinance on February 22, 2022. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for The Town of Apex, McKim & Creed, dated October 27, 2021" and recorded in Book of Maps book number 2022 and page number [REDACTED], Wake County Registry.

Section 2. Upon and after the adoption of this ordinance, the territory described herein and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Apex, North Carolina, and shall be entitled to the same privileges and benefits as other parts of the Town of Apex. Said territory shall be subject to municipal taxes according to G.S. § 160A-58.10, as amended.

Section 3. The Clerk of the Town of Apex, North Carolina shall cause to be recorded in the Office of the Register of Deeds of Wake County and in the Office of the Secretary of State at Raleigh, North Carolina and in the Office of the Wake County Board of Elections an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance.

Adopted this the 22nd day of February 2022.

Jacques K. Gilbert
Mayor

ATTEST:

Jontesca Silver, CMC, NCCMC
Deputy Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Town of Apex Annexation of
The William T. Mills Testamentary Trust, David G. Mills, Trustee and Dorothy M. Mills
Wake County Pin # 0731-17-9775
Book of Maps 2021, Page 1689

BEING all that tract of land containing a total area of +/- 5.40 acres (235,007 square feet) located in Buckhorn Township, Wake County, North Carolina; said tract being bounded on the north by Jason A. Bertoncino and wife, Kara E. Bertoncino, Joseph M. Schlee and Melissa J. Schlee, Imran Uddin Aukhil and spouse, Marlya Hussain Aukhil, Sharmila Bommepalle and husband, Viswanadha R. Bommepalle, Jonathan David Stebila and Pamela Schnitzer, John Paul Sherman and Austina L. Sherman, Ellerview Drive, Thomas Michael Pecora, Rajesh Kasiviswanathan and spouse, Mathangi Kasiviswanathan, Sreeman Chakka and spouse, Kalimatha Chakka, Rama Mohan Surabhi and spouse, Mythili Surabhi, Niyati Doshi and Jason Pomerantz, Needham Austin Wall, Jr. and spouse, Janet Pettigrew wall and Amir Lazarovich and wife, Michal Lazarovich, on the east by Town of Apex, on the south by the centerline of Apex Barbecue Road and on the west by Robert R. Steinfield and wife, Dana L. Steinfield and being more particularly described by courses based on North Carolina Grid Coordinate System (NAD83/2011) and distances according to a survey entitled "Annexation Map for the Town of Apex Property of The William T. Mills Testamentary Trust, David G. Mills, Trustee and Dorothy M. Mills Pin # 0731-17-9775" prepared by McKim & Creed, Inc. dated October 27, 2021 and being more particularly described as follows:

COMMENCING at a McKim & Creed Control Point # 1 a rebar and cap having NC Grid (NAD83/2011) coordinates of Northing = 717,643.66 feet, Easting = 2,032,501.83 feet; thence with tie lines the following two calls: (1) south 02 deg. 30 min. 35 sec. west 54.40 feet to an iron pipe found near the southern right-of-way line (allowing 60 feet) of Apex Barbecue Road and (2) north 00 deg. 44 min. 55 sec. west 31.23 feet to a PK nail set in the centerline of Apex Barbecue Road, the POINT OF BEGINNING; thence with the centerline of Apex Barbecue Road the following six calls: (1) north 76 deg. 20 min. 31 sec. west 132.24 feet to a PK nail set, (2) with a curve to the left having a radius of 1,100.00 feet, an arc length of 150 feet, a chord bearing and distance of north 80 deg. 14 min. 54 sec. west 149.88 feet to a PK nail set, (3) continuing with a curve to the left having a radius of 730.00 feet, an arc length of 295.00 feet, a chord bearing and distance of south 84 deg. 16 min. 05 sec. west 293.00 feet to a PK nail set, (4) continuing with a curve to the left having a radius of 900.00 feet, an arc length of 150.00 feet, a chord bearing and distance of south 67 deg. 54 min. 59 sec. west 149.83 feet to a PK nail set, (5) south 63 deg. 08 min. 30 sec. west 238.74 feet to a PK nail set, and (6) south 65 deg. 42 min. 57 sec. west 13.68 feet to a PK nail set, thence leaving the centerline of Apex Barbecue Road with the eastern line of Robert R. Steinfield and wife, Dana L. Steinfield north 00 deg. 35 min. 23 sec. west 407.77 feet to an iron pipe found in the southern line of Jason A. Bertoncino and wife, Kara E. Bertoncino, thence with northern lines of William T. Mills Testamentary Trust, David G. Mills, Trustee and Dorothy M. Mills (Book of Maps 2021, Page 1689) the following five calls: (1) south

89 deg. 26 min. 57 sec. east 68.64 feet to an iron pipe found, (2) south 88 deg. 36 min. 25 sec. east 68.66 feet to an iron pipe found, (3) south 88 deg. 46 min. 14 sec. east 270.16 feet to an iron pipe found, (4) south 88 deg. 46 min. 14 sec. east 49.86 feet to an iron rod set, and (5) south 88 deg. 46 min. 14 sec. east 482.34 feet to an iron pipe found, said iron pipe being the northwestern corner of the Town of Apex (Deed Book 15794, Page 1419; Book of Maps 2014, Page 543), thence with the western line of the Town of Apex south 00 deg. 44 min. 55 sec. west 245.76 feet to a PK nail set in the centerline of Apex Barbecue Road, the Beginning PK nail.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Jontesca Silver, CMC, NCCMC, Deputy Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2022-0222-03, adopted at a meeting of the Town Council, on the 22nd day of February, 2022, the original of which will be on file in the Office of the Town Clerk of Apex, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 23rd day of February 2022.

Jontesca Silver, CMC, NCCMC
Deputy Town Clerk

(SEAL)